

THE STATE OF TEXAS §
CITY OF BROWNSVILLE §
COUNTY OF CAMERON §

MINUTES of a **Special Meeting** of the City Commission of the City of Brownsville, Texas, held in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, on **Tuesday, May 17, 2005, at 5:30 p.m.** with the following members present:

EDDIE TREVIÑO, JR.		MAYOR
RICARDO LONGORIA, JR.)	
DAVID A. BETANCOURT)	
CARLOS A. CISNEROS)	
ERNESTO L. DE LEON)	
SALLY MINIEL ARROYO)	
ERNIE L. HERNANDEZ)	COMMISSIONERS
CHARLIE CABLER		CITY MANAGER
CARLOS AYALA, JR.		ASSISTANT CITY MANAGER
JIM GOZA		CITY ATTORNEY
INELDA T. GARCIA		CITY SECRETARY

A quorum being present, Mayor Eddie Treviño, Jr., asked Ms. Inelda T. Garcia, City Secretary, to read the call to consider the following matters as posted and filed for the record in The Office of the Secretary on May 13, 2005:



PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

The U.S. Pledge of Allegiance and the Texas Pledge were lead by Carlos Cisneros, Jr., and Aimee Treviño, son and niece of Commissioner Carlos A. Cisneros, respectively.

INVOCATION:

The invocation was given by Deacon Bob Clark of Church of the Good Shepherd of Brownsville, Texas.

**1. PRESENTATION: *Employee of the Month*
(May 2005)**

Mr. Charlie Cabler, City Manager, recognized *Ms. Elizabeth Preciado*, Administrative Specialist at the City Purchasing Department, as “*Employee of the Month*” for the month of May, 2005.

2. CONSENT AGENDA ITEMS:

All consent Agenda Items listed were considered to be routine by the City Commission and were be approved by one motion.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner David A. Betancourt and carried unanimously, Consent Agenda Items “a” through “i” were **approved**.

ITEM No. “a” through “i”

a) Approval of the Minutes of the Regular Meeting of May 03, 2005 and the Minutes of the Special Meeting of May 10, 2005.

b) Authorization for the following individuals to incur travel expense:

Employee	Department	Destination	Date
Norma H. Zamora	BUS	Austin, TX	May 20, 2005
Mark Maddy	BUS	Austin, TX	May 19 – 20, 2005
Josue Ramirez	Health	Laredo, TX	June 21 – 24, 2005
Juan Jose Garcia	Police	San Antonio, TX	May 22 – 27, 2005

Guadalupe Izaguirre	Police	San Antonio, TX	May 22 – 27, 2005
David Navarro	Police	San Antonio, TX	May 22 – 27, 2005
Joe D. Flores	Police	San Antonio, TX	May 22 – 27, 2005
Sergio Vera	Police	San Antonio, TX	May 22 – 27, 2005
Ramiro Rodriguez	Police	San Antonio, TX	May 23 – 27, 2005
Maria Guadalupe Garcia	Police	San Antonio, TX	May 23 – 27, 2005
Ana B. Hernandez	Police	San Antonio, TX	May 23 – 27, 2005
Marco Huerta	Police	New Market, AL	May 18 – June 1, 2005

Ms. Norma Zamora, BUS Director, and Mr. Mark Maddy, Public Transportation Advisory Committee (PTAC) member, will attend a “*Public Transportation Advisory Committee Meeting*”, on May 20, 2005, in Austin, Texas.

Mr. Josue Ramirez, Director of Health, will attend the “*Annual Binational Health to Foster Development Meeting*”, sponsored by the U.S.-Mexico Border Health Association, on June 21-24, 2005, in Laredo, Texas.

Police Officers Juan Jose Garcia, Guadalupe Izaguirre, David Navarro, Joe D. Flores, and Sergio Vera will attend an “*Intoxilyzer Operator Course*”, offered by the San Antonio College, on May 22-27, 2005, in San Antonio, Texas.

Police Commander Ramiro Rodriguez, and Jailers Maria Guadalupe Garcia and Ana B. Hernandez will attend the “*19th Annual TJA Spring Conference*”, sponsored by the Texas Jail Association, on May 23-27, 2005, in San Antonio, Texas.

Police Officer Marco Huerta will assist the Kasseburg Canine Training Center as an “*Assistant Instructor*” in the training of the new EOD K-9 and evaluate the newly appointed K-9 Handler, on May 18, - June 1, 2005, in New Market, Alabama.

c) SECOND and FINAL READING of Ordinance Number 235-2005-014-S to allow an Apartment Specific Use (apartments) in a General Retail use district, for Lot 4 of Block 124 of Original Townsite, near East 8th Street and East Monroe Street.

d) SECOND and FINAL READING on *PROTESTED* Ordinance Number 235-2005-018 to rezone from Dwelling “A” classification to Apartment “H” classification, for 2.25 acres out of Block 118 of Los Ebanos Properties, near Paredes Line Road and Rockwell Drive.

- e) **SECOND and FINAL READING on Ordinance Number 235-2005-020-S to allow an Apartment Specific Use (apartments) in a Dwelling use district, for Lot 9 of Block 1 of Portway Acres, near Stevens Drive and State Highway 48.**
- f) **SECOND and FINAL READING on Ordinance Number 235-2005-021 to rezone from “X” Area District classification to “Z” Area District classification, for Lot 1A and Lot 4 of Block 114 and Lot 1 of Block 113 of El Jardin Subdivision, near FM 511 and Charmaine Road.**
- g) **SECOND and FINAL READING on Ordinance Number 235-2005-900 to rezone from Dwelling “G” classification to Medium Industrial “J” classification, for Lots 3 and 4 of Block 106 of El Jardin Subdivision.**
- h) **SECOND and FINAL READING on Ordinance Number 2005-410-A to amend Chapter 98, Section 98-333, Division 5.**
- i) **SECOND and FINAL READING on Ordinance Number 2005-318-HH to amend Chapter 106, various Sections dealing with Vehicles for hire (taxi cabs).**

POST-ELECTION BUSINESS:

3. **ACTION on Resolution Number 2005-020 canvassing and declaring the result of the General Municipal Election held on May 7, 2005, for the purpose of electing an At-Large Commissioner B, District Commissioner 3, and District Commissioner 4.**

Ms. Inelda T. Garcia, City Secretary, canvassed and declared the result of the General Municipal Election held on May 7, 2005, for the purpose of electing an At-Large Commissioner “B”, District Commissioner 3 and District Commissioner 4, noting that one (1) additional provisional vote had been added to each of the results listed for former Commissioner Joseph A. Zavaletta, M.D., and Commissioner-Elect Ernie L. Hernandez, Jr., respectively.

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, Resolution Number 2005-020 was **adopted**, canvassing and declaring the result of the General Municipal Election held on May 7, 2005, for the purpose of electing an At-Large Commissioner “B”, District Commissioner 3, and District Commissioner 4.

4. ACTION regarding the issuance of Certificates of Election.

Mayor Eddie Treviño, Jr., read and issued a Certificate of Election to Commissioner-Elect Ernie L. Hernandez, Jr.

Mayor Eddie Treviño, Jr., read and issued a Certificate of Election to Commissioner Carlos A. Cisneros.

Upon motion by Mayor Eddie Treviño, Jr., seconded by Commissioner David A. Betancourt and carried unanimously, issuance of Certificates of Election to Commissioner-Elect At-Large “B” Ernie L. Hernandez, Jr., and Commissioner-Elect District 3 Carlos A. Cisneros was **approved**.

5. ACTION regarding the Administration of the Oaths of Offices, and assumption of duties of elected officials.

County Court-at-Law Judge Elia Cornejo-Lopez administered the oath to Commissioner-Elect Ernie L. Hernandez, Jr., who was accompanied by his wife and family.

County Court-at-Law Judge Janet Leal administered the Oath of Office to Commissioner Carlos A. Cisneros, who was accompanied by his wife and family.

Mayor Eddie Treviño, Jr., yielded the floor to Commissioner-Elect Ernie L. Hernandez, Jr., who thanked the citizens of Brownsville for their participation in the voting process and pledged to work with the Mayor and City Commissioners for the benefit of the Citizens of Brownsville.

Mayor Eddie Treviño, Jr., then yielded the floor to Commissioner Carlos A. Cisneros, who thanked the citizens of Brownsville and his family for their support in his re-election to the City Commission. He pledged to continue working with the Mayor and City Commission for the benefit of the Citizens of Brownsville.

Commissioner District 3 Carlos A. Cisneros and Commissioner At-Large “B” took their seat and assumed the official duties as duly elected City Commissioners.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner David A. Betancourt and carried unanimously, the administration of Oaths of Office and assumption of duties of the elected officials were **approved**.

6. ACTION on Resolution Number 2005-021 ordering and calling a Special Municipal Election for the purpose of conducting a runoff election.

Ms. Inelda T. Garcia, City Secretary, noted that two (2) voting sites were included in the proposed resolution ordering and calling a Special Municipal run-off election, at a cost of approximately \$25,000. She noted that early voting begins on May 25, 2005 and the run-off election is scheduled for June 11, 2005.

Commissioner David A. Betancourt noted that the highest concentration of early votes had been cast at the Brownsville Public Library and he suggested that the Library be one of the two voting sites for the run-off election.

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Carlos A. Cisneros and carried unanimously, Resolution Number 2005-021 was **adopted**, ordering and calling a Special Municipal Election, including Cameron County Courthouse and the Brownsville Public Library as the two voting sites for the purpose of conducting a run-off election between incumbent Commissioner District 4 Ernesto L. De Leon and opposing candidate Edward Camarillo.

7. ACTION regarding the drawing of names for position on the special municipal ballot for the runoff election.

Ms. Inelda T. Garcia, City Secretary, noted that, at a drawing held on May 13, 2005, Mr. Edward Camarillo had been present and drawn first place on the run-off ballot and incumbent Commissioner Ernesto L. De Leon, who was unable to be present, had his name drawn for second place on the run-off ballot.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Sally M. Arroyo and carried unanimously, the drawing of names for position on the special municipal ballot for the run-off election was **acknowledged**.

PUBLIC HEARING:

- 8. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-023 to rezone from “A” Area District classification to “G” Area District classification, .319 acres out of Block 78 of El Jardin Subdivision in Share 19 and 27 of Espiritu Santo Grant, near State Highway 48 and East Price Road.**

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had approved the proposed rezoning of the property in question.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner David A. Betancourt and carried unanimously, the public hearing was **closed**.

Commissioner Carlos A. Cisneros moved that Ordinance Number 235-2005-023 be **adopted** on first reading.

The motion was seconded by Commissioner David A. Betancourt and carried unanimously.

- 9. Public Hearing and ACTION to authorize the issuance of a new taxi cab permit to Mr. Pedro Lopez on a 1997 Plymouth Breeze 4-door who will be operating for Longoria Taxi.**

Chief of Police Carlos L. Garcia noted that the application had met all the requirements under the City Taxi Ordinance.

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Carlos A. Cisneros and carried unanimously, the public hearing was **closed**.

Commissioner David A. Betancourt moved that issuance of a new taxi cab permit be **authorized** to Mr. Pedro Lopez, who will be operating for Longoria Taxi, using a 1997 Plymouth Breeze 4-door vehicle.

The motion was seconded by Commissioner Sally M. Arroyo and carried unanimously.

ACTION ITEMS:

10. ACTION to donate surplus property motor vehicles and police equipment to the police department of the City of Matamoros, Tamaulipas, Mexico.

Chief of Police Carlos L. Garcia recommended donation of the surplus property as a gesture of good will towards Brownsville's Sister City of Matamoros, Tamaulipas, Mexico.

Upon motion by Mayor Eddie Treviño, Jr., seconded by Commissioner Carlos A. Cisneros and carried unanimously, the donation of surplus property motor vehicles and police equipment to the police department of the City of Matamoros, Tamaulipas, Mexico, was **authorized**.

11. ACTION on FIRST READING on Ordinance Number 2005-748-D to amend Chapter 98 – Traffic and Vehicles, Article IV–Speed Restrictions; Section 98 – 133 of the Code of Ordinances of the City of Brownsville, Texas, establishing new speed limits along FM 511, US 281 and FM 803 in the City of Brownsville.

Mr. Robert Esparza, Traffic Director, noted that the roadways in question had a high volume of vehicular traffic, the Texas Department of Transportation (TxDOT) recommended a decrease in speed limits based on their traffic survey, and that TxDOT would install the necessary speed limit signs as well as incur the costs associated with the new speed restrictions.

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously, Ordinance Number 2005-748-D was **adopted** on first reading.

PURCHASES/BIDS/CONTRACTS:

12. ACTION to award a contract for Capital Improvement Program 2004 C.I.P. Streets and Drainage Improvement, Contract Number II. [TABLED 05-03-2005]

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that, upon review of bids, the consulting engineering firm recommended that the contract be awarded to the low responsive bidder.

Commissioner Ricardo Longoria, Jr., noted that the proposed contract included La Posada Street which was in serious need of repairs.

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Carlos A. Cisneros and carried unanimously, a contract, in the amount of **\$778,888.88**, was awarded to **R & R Paving Company of San Benito, Texas**, for Capital Improvement Program (2004 CIP) Streets and Drainage Improvement, Contract Number II.

13. ACTION to approve the acceptance and expenditure of the Texas Department of Transportation Click It or Ticket Grant awarded to the Brownsville Police Department in the amount of \$8,000.00.

Chief of Police Carlos L. Garcia noted that the Texas Department of Transportation (TxDOT) had approached the City of Brownsville Police Department for acceptance of a “*Click it or Ticket Mobilization*” grant in the amount of \$8,000 for overtime police enforcement of the “*Click It or Ticket Mobilization*” which will run from May 23 through June 5, 2005.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Sally M. Arroyo and carried unanimously, the acceptance of a TxDOT “*Click It of Ticket Mobilization*” grant in the amount of **\$8,000.00**, to the Brownsville Police Department was **approved**.

14. ACTION to award a term contract for the purchase and delivery of reflective sheeting for traffic control signs for the Traffic Department.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the proposed contract allows the City to reserve the option to extend the life of the contract for two (2) additional twelve (12) month periods at the original quoted prices.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously, a term contract, was awarded to **3M Company of St. Paul, Minnesota**, at the **stipulated prices**, for the purchase and delivery of reflective sheeting for traffic control signs for the Traffic Department.

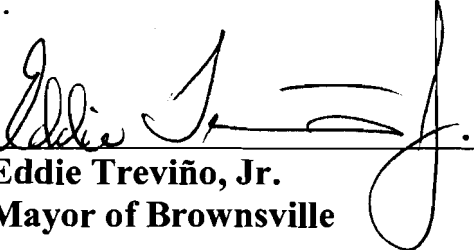
PUBLIC COMMENT PERIOD:

Mr. Dagoberto Barrera expressed his belief in the U.S. political system and congratulated Commissioner District 3 Carlos A. Cisneros, on his re-election to a second term on the City Commission and Commissioner At-Large "B" Ernie A. Hernandez on his election to a fourth term on the City Commission.

ADJOURNMENT:


There being no further business to come before the City Commission, the meeting adjourned at 6:16 p.m.

Approved this 7TH day of June, 2005.



Eddie Treviño, Jr.
Mayor of Brownsville

Attest:



Estela Von Hatten
Interim City Secretary

